

## REMARKS

By the foregoing amendment, claims 31-34 have been cancelled. No new matter has been added. Claims 1-30 remain for prosecution. The filing fees indicated to be due have been recalculated in view of this preliminary amendment. The decrease in the amount of fees due in light of this Preliminary Amendment is reflected on the marked-up copy of the Notice of Missing Requirements attached hereto.

Respectfully submitted,

STOUT, UXA, BUYAN & MULLINS, LLP

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Date: August 22, 2008

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# UNITED STATES PATENT AND TRADEMARK OFFICE

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U.S. APPLICATION NUMBER NO. 10/594,825	FIRST NAMED APPLICANT Wallace	ATTY. DOCKET NO. UCIVN-061US
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IRVINE, CA 92618

APR 24 2008

INTERNATIONAL APPLICATION NO. PCT/US05/10266	
I.A. FILING DATE 03/29/2005	PRIORITY DATE 03/29/2004

CONFIRMATION NO. 3649  
371 FORMALITIES LETTER



Date Mailed: 04/22/2008

*Response Due 6/22/08*

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated Office (37 CFR 1.494):

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 09/28/2006
- Copy of the International Search Report filed on 09/28/2006
- Small Entity Statement filed on 09/28/2006
- Request for Immediate Examination filed on 09/28/2006
- U.S. Basic National Fees filed on 09/28/2006



The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371: *\$250*

- Additional claim fees of ~~\$3495~~ as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

### SUMMARY OF FEES DUE:

*\$470*

Total additional fees required for this application is ~~\$3655~~ for a Small Entity: *TS 8/8/08*

- **\$65 Surcharge.**
- The application search fee has not been paid. Applicant must submit **\$50** to complete the search fee. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
- The application examination fee has not been paid. Applicant must submit **\$105** to complete the examination fee for a small entity in compliance with 37 CFR 1.27. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.

7)  
\$250 10  
\$250  
Total additional claim fee(s) for this application is ~~\$3438~~

• ~~\$3438~~ for ~~130~~ total claims over 20.

~~\$405 for multiple dependent claim surcharge.~~

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.

<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

LAMONT M HUNTER

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